



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Trevor Potter, Esq.  
Caplin & Drysdale  
One Thomas Circle, NW, Suite 1100  
Washington, D.C. 20005

DEC 14 2007

RE: MUR 5887  
Republican Main Street Partnership

Dear Mr. Potter:

On December 13, 2006, the Federal Election Commission notified your client, Republican Main Street Partnership, of a complaint alleging violation of a section of the Federal Election Campaign Act of 1971, as amended.

On November 14, 2007, the Commission found, on the basis of the information in the complaint, and information provided by your client, that there is no reason to believe that Republican Main Street Partnership violated 2 U.S.C. § 441b by making contributions to Schwarz for Congress or making expenditures on behalf of Schwarz for Congress. Accordingly, the Commission closed its file in this matter as it pertains to Republican Main Street Partnership. The Factual and Legal Analysis, explaining the Commission's finding, is enclosed.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) remain in effect, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

If you have any questions, please contact Delbert K. Rigsby, the attorney assigned to this matter at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, reading "Susan L. Lebeaux", is positioned below the word "Sincerely,".

Susan L. Lebeaux  
Assistant General Counsel

Enclosure  
Factual and Legal Analysis

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**FEDERAL ELECTION COMMISSION**

**FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT: Republican Main Street Partnership**

**MUR: 5887**

**I. INTRODUCTION**

This matter was generated by a complaint filed with the Federal Election Commission by Club for Growth. *See* 2 U.S.C. § 437g(a)(1). Specifically, the complaint alleges that Republican Main Street Partnership ("RMSP") violated the Federal Election Campaign Act of 1971, as amended, by making contributions to Schwarz for Congress or making expenditures on behalf of Schwarz for Congress ("Schwarz Committee").

For the reasons discussed below, the Commission found there is no reason to believe that Republican Main Street Partnership violated 2 U.S.C. § 441b by making contributions to the Schwarz Committee or making expenditures on behalf of the Schwarz Committee.

**II. ANALYSIS**

The complaint alleges that the Schwarz Committee's disclosure of an \$865 in-kind contribution from RMSP, a corporation, and a Gannet News Service article quoting RMSP's executive director, Sarah Resnick, as stating that RSMP spent \$470,000 on broadcast advertisements and mailings supporting Joe Schwarz, indicate that "RSMP illegally spent \$470,000 of corporate funds in an attempt to elect Schwarz."

RMSP's response included an affidavit from its 2006 treasurer, Douglas Ose, stating that RMSP, a 501(c)(4) entity, did not make an \$865 in-kind contribution to the Schwarz campaign, any independent expenditures for candidates in 2006, including Schwarz, and that the Gannett News Service article incorrectly attributed any expenditures to RMSP. Moreover, in its July 2006 Monthly Report, Republican MainStreet Partnership-PAC ("RMSP-PAC") reported an

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\$865 in-kind contribution to the Schwarz Committee. In addition, the Schwarz Committee states that its July 2006 Monthly Report should have reported the \$865 in-kind contribution as coming from RMSP-PAC, not RMSP. In regard to the allegation that RMSP spent \$470,000 on the Schwarz campaign, Sarah Resnick, treasurer of RMSP-PAC, submitted an affidavit stating, "I was misquoted in the Gannett News Service article. . . I did not say that Republican Main Street Partnership spent \$470,000 for Schwarz. I said the PAC spent \$91,000 in independent expenditures in Mr. Schwarz's race, as detailed in our FEC reports."

RMSP-PAC confirms that it made the \$865 in-kind contribution to the Schwarz Committee, which was disclosed in the Committee's July 2006 Monthly Report, Resnick avers she was misquoted in the Gannett News Service article, and there is no other information indicating that RMSP made any expenditures on behalf of the Schwarz campaign. Therefore, there is no reason to believe that Republican Main Street Partnership violated 2 U.S.C. § 441b.

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